

**REMARKS/ARGUMENT**

**I. Status of the Claims**

Claims 1-14 and 26-34 are pending.

Claims 1-9, 11, 12, 14, 26-28, 30 and 32-33 are rejected.

Claims 10, 13, 29, 31 and 34 are objected.

**II. Objection to the Claims**

Claims 28, 29, 33 and 34 are objected to because of informalities. Applicants traverse the objection to claims 28, 29, 33 and 34 because the term set is correct because the depth claimed correlates to the diameter, grouped by sets, and not the pattern as described in the specification. Applicants have specifically defined the terms set and pattern to be different. Applicants respectfully request the removal of the objection to claims 28, 29, 33 and 34 in light of the above arguments.

**III. Claims Rejected Under 35 U.S.C. 103**

Claims 1, 2, 7, 11, 14 and 26 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 4,932,664 to Pocklington et al. in view of U.S. Patent No. 5,733,205 to Higuchi et al. The Applicants traverse the obviousness rejection because each and every element of the

Applicants' claims are not disclosed by either cited reference.

The Pocklington '664 patent does not disclose "a second pattern of dimples associated with each square" as claimed by the Applicant in independent claims 1 and 26. Applicants' claim a square, which is a specific type of four sided polygon, having equal length sides and all right angles and therefore the conclusory statement that "*Pocklington et al. discloses the claimed invention..*" is both an insufficient rejection and also contrary to the facts.

The Higuchi '205 patent is silent regarding any dimple patterns. The combination of the teachings of the Pocklington '664 patent with the teachings of the Higuchi '205 patent fails to teach each and every element of the Applicants independent claims 1 and 26. Therefore Applicant respectfully requests reconsideration and removal of the obviousness rejection of independent claims 1 and 26 and claims 1, 2, 7, 11 and 14 that depend from allowable claim 1.

Claims 1, 3-5, 11 and 14 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 4,932,664 to Pocklington et al. in view of U.S. Patent No. 5,807,192

to Yamagishi et al. Applicants traverse the obviousness rejection because each and every element of the Applicants' claims are not disclosed by the cited references.

The Pocklington '664 patent does not disclose "a second pattern of dimples associated with each square" as claimed by the Applicant in independent claim 1. Applicants claim a square, which is a specific type of four sided polygon, having equal length sides and all right angles and therefore the conclusory statement that "*Pocklington et al. discloses the claimed invention..*" is both an insufficient rejection with respect to specificity and also contrary to the facts.

The Yamagishi '192 patent is silent regarding any dimple patterns. Therefore the combination of the teachings of the Pocklington '664 patent with the teachings of the Yamagishi '192 patent still fails to teach each and every element of the Applicants' independent claim 1. Therefore Applicant respectfully requests reconsideration and removal of the obviousness rejection of independent claim 1 and claims 3-5, 11 and 14 that depend from allowable claim 1.

Claims 6 and 27 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 4,932,664 to

Pocklington et al. in view of U.S. Patent No. 5,733,205 to Higuchi et al and further in view of U.S. Patent No. 4,884,814 to Sullivan. The applicants traverse the obviousness rejection because each and every element of the Applicant's independent claims are not disclosed by either cited reference.

The Pocklington '664 patent does not disclose "a second pattern of dimples associated with each square" as claimed by the Applicant in independent claims 1 and 26, which claims 6 and 27 depend therefrom. Claims 1 and 26 include a square, which is defined as a specific type of four sided polygon, having equal length sides and all right angles and therefore the conclusory statement that "*Pocklington et al. discloses the claimed invention..*" is both an insufficient rejection and also contrary to the facts.

The Higuchi '205 patent is silent regarding any dimple patterns. The combination of the teachings of the Pocklington '664 patent with the teachings of the Higuchi '205 patent fails to teach each and every element of the Applicants independent claims 1 and 26, and therefore also claims 6 and 27 that depend therefrom.

The Sullivan '814 patent is also silent regarding any dimple patterns. The combination of the teachings of the Pocklington '664 patent with the teachings of the Higuchi '205 patent further in view of the Sullivan '814 patent still fails to teach each and every element of the Applicants independent claims 1 and 26, and therefore also claims 6 and 27 that depend therefrom.

Therefore Applicant respectfully requests reconsideration and removal of the obviousness rejection of claims 6 and 27 that depend from allowable claims 1 and 26.

Claims 8, 9, 12 and 28 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 4,932,664 to Pocklington et al. in view of U.S. Patent No. 5,733,205 to Higuchi et al and further in view of U.S. Patent No. 5,018,741 to Stiefel et al. Applicants traverse the obviousness rejection because each and every element of the Applicants' independent claims are not disclosed the cited combination of references.

The Pocklington '664 patent does not disclose "a second pattern of dimples associated with each square" as claimed by the Applicant in independent claims 1 and 26, which claims 8, 9, 12 and 28 depend therefrom. It is important that the shape be a square, which is defined as a

specific type of four sided polygon, having equal length sides and all right angles and therefore the conclusory statement that "*Pocklington et al. discloses the claimed invention..*" is both an insufficient rejection and also contrary to the facts.

The Higuchi '205 patent is silent regarding any dimple patterns. The combination of the teachings of the Pocklington '664 patent with the teachings of the Higuchi '205 patent fails to teach each and every element of the Applicants independent claims 1 and 26, and therefore also claims 8, 9, 12 and 28 that depend therefrom.

The Stiefel '741 patent is also silent regarding any dimple patterns that include squares. The combination of the teachings of the Pocklington '664 patent with the teachings of the Higuchi '205 patent further in view of the Stiefel '741 patent still fails to teach each and every element of the Applicants independent claims 1 and 26, and therefore also claims 8, 9, 12 and 28 that depend therefrom.

The rejection instead of being based upon a combination of the teaching of the references, as required by law, has used the forbidden "obvious to try" standard for an obviousness rejection. This is made clear by the

following statement in the rejection that "it would have been obvious to one having ordinary skill in the art at the time the invention was made to further the modify the golf ball of Pocklington et al., as per the teachings of Stiefel et al, such that it would provide the golf ball of Pocklington et al. with the concept of the aforementioned limitations for the purpose of enhancing the performance the golf ball without comprising shot-making feel of the ball." This rejection is vague and conclusory and does not provide any specificity regarding the teaching of the elements and why the combination would cause the applicant's invention to be obvious.

Therefore Applicant respectfully requests reconsideration and removal of the obviousness rejection of claims 8, 9, 12 and 28 that depend from allowable claims 1 and 26.

Claims 30 and 32 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 4,932,664 to Pocklington et al. in view of U.S. Patent No. 5,800,286 to Kakiuchi et al. Applicants traverse the obviousness rejection because each and every element of the Applicant's independent claims are not disclosed by either cited reference.

The Pocklington '664 patent does not disclose "a second pattern of dimples associated with each square" as required by independent claim 30. A square is defined as a specific type of four sided polygon, having equal length sides and all right angles and therefore the conclusory statement that "*Pocklington et al. discloses the claimed invention..*" is both an insufficient rejection and also contrary to the facts.

The Kakiuchi '286 patent is also silent regarding any dimple patterns that include squares. The combination of the teachings of the Kakiuchi '286 patent with the Pocklington still fails to teach each and every element of the Applicants independent claim 30, and therefore also claims 32 that depends therefrom. Applicant respectfully requests reconsideration and removal of the obviousness rejection of claims 30 and 32.

Claims 33 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 4,932,664 to Pocklington et al. in view of U.S. Patent No. 5,800,286 to Kakiuchi et al and further in view of U.S. Patent No. 5,018,741 to Stiefel et al. Applicants traverse the obviousness rejection because each and every element of the Applicant's



independent claims are not disclosed by either cited reference.

The Pocklington '664 patent does not disclose "a second pattern of dimples associated with each square" as claimed by the Applicant in independent claim 30. A square is defined as a specific type of four sided polygon, having equal length sides and all right angles and therefore the conclusory statement that "*Pocklington et al. discloses the claimed invention..*" is both an insufficient rejection and also contrary to the facts.

The Kakiuchi '286 patent is also silent regarding any dimple patterns that include squares. The combination of the teachings of the Pocklington '664 patent with the teachings of the Higuchi '205 patent further in view of the Stiefel '741 patent still fails to teach each and every element of the Applicants independent claim 33. Therefore Applicant respectfully requests reconsideration and removal of the obviousness rejection of claim 33.

**IV Conclusion**

The Applicants resubmit the previously filed amendments. Based on the foregoing, it is respectfully requested that all claims be allowed and the application be passed to issue.

Respectfully submitted,

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Jeffrey D. Washville